

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION

FILED
SEP 23 PM 3:33
U.S. DISTRICT COURT
N.D. OF ALABAMA

KAZEMBE TOSHIBA HILL,

Plaintiff,

vs.

CV 02-BE-1137-W

STATE OF ALABAMA,
NORTHPORT POLICE DEP'T. and
J. BRIAN CHRISTIAN,

Defendants.

ENTERED

SEP 24 2003

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on August 26, 2003, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed for failing to state a claim upon which relief can be granted. 28 U.S.C. § 1915A(b)(1). The magistrate judge further recommended that the court decline to exercise supplemental jurisdiction over any state law claims plead in the complaint. 28 U.S.C. § 1367(c)(3). No objections have been filed.¹


Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate

¹ The magistrate judge's report and recommendation (Doc. #8) mailed to the plaintiff on August 26, 2003, was returned by the postal service as undeliverable on September 3, 2003. The plaintiff has failed to supply the court with an updated address, even though he was warned of his responsibility to do so by notice printed on the complaint form he completed and filed in this action.

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judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1). A Final Judgment will be entered.

DATED this 23rd day of September, 2003.


KARON O. BOWDRE
UNITED STATES DISTRICT JUDGE